

PATENT
450100-02913**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 4-8, and 10-14 are currently pending. Claims 1, 13, and 14 are independent. Claims 1, 10, 13, and 14 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, specifically at pages 21-24 and at Fig. 11. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. OBJECTIONS AND REJECTIONS UNDER 35 U.S.C. § 112

The Examiner has objected or rejected claims 1, 13, and 14 for failing to include certain antecedent basis for every claim element. In response, claims 1, 13, and 14 have been amended to overcome this shortcoming. Accordingly, withdrawal of the objection and rejections are respectfully requested.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1 and 4-7, 9, and 14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,133,947 to Mikuni (hereinafter merely "Mikuni"), in view of U.S. Patent No. 6,282,362 to Murphy et al, (hereinafter merely "Murphy"), in view of U.S.

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Patent No. 6,195,122 to Vincent, (hereinafter merely "Vincent") and further in view of U.S.

Patent No. 6,054,571 to Narayanaswami. (hereinafter merely "Narayanaswami").

In addition claims 10-13 were rejected as unpatentable over Mikuni in view of Murphy, Vincent, Narayanaswami and in further view of Japanese Patent Application No. 09-179491 to Yokoyama.

It is submitted that as amended Claim 1 patentably distinguishes over the relied upon portions of the cited references for at least the following reasons.

Claim 1 as amended recites:

controlling means for referencing the table to display on said displaying means an icon corresponding to the position information on a part of the map chosen by the user, the controlling means operable to determine the number of icons in the part of the map chosen by the user, determine the icon closest to the center of the part of the map chosen by the user, change at least one attribute of the icon closest to said center, and allow the user to decide whether the icon closest to said center of the part of the map chosen by the user is the desired icon;

...
whereby when the user decides that the icon closest to said center is the desired icon a picture from the picture file, at a location corresponding to said icon, is displayed .

It is respectfully submitted that none of the relied upon portions of the above-listed citations, i.e. Vincent, Murphy, Mikuni and Narayanaswami individually or combination, teaches or suggests the digital photographing apparatus of claim 1. For example, there is no teaching of determining the number of icons on the chosen part of the map, or determining which icon is closed to the center. Nor is there teaching of allowing the user to decide whether the icon closest to the center of the part of the map chosen by the user is the desired icon. Therefore, Applicants submit that claim 1 is patentable.

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It is further submitted that the above-identified shortcomings of Vincent, Murphy, Mikuni and Narayanaswami are not overcome by the teachings of Yokoyama. Accordingly, for reasons similar to those described above with regard to claim 1, independent claims 13 and 14, are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 13 and 14 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

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CONCLUSION


Claims 1 4-8, and 10-14 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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